

**MINUTES OF THE REGULAR MEETING  
OF THE LA SALLE CITY COUNCIL  
HELD IN THE COUNCIL CHAMBERS,  
745 SECOND STREET, LA SALLE, IL.  
7:00 P.M., Tuesday, June 18, 2013**

**CALL TO ORDER-**

The meeting was called to order by Mayor Jeff Grove at 7:01 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present-** Mayor Grove, Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

**Absent-** None

**PUBLIC HEARING-Hughett**

Moved by Alderman Lavieri and seconded by Alderman Herndon to open the public hearing regarding the petition of James and Rebecca Hughett for annexation and consideration of potential annexation agreement regarding premises commonly known as 2975 E. 350<sup>th</sup> Road (St. Vincent Avenue) La Salle, Illinois. **Voice vote all ayes, motion carried.**

No public comments were made

Moved by Alderman Duncan and seconded by Alderman Lavieri to close the public hearing. **Voice vote, all ayes. Motion carried.**

**PUBLIC HEARING-Burke**

Moved by Alderman Lavieri and seconded by Alderman Schneider to open public hearing regarding Petition and Request of Daniel M. Burke and Debora A. Burke for consideration and approval of a potential annexation agreement and/or pre-annexation agreement concerning premises commonly being described as an approximate 22.218 acre partial of real estate, including premises having a street address of 3241 E. 8th Road Utica, Illinois, located on the west side of east 8th Road, also known as LaSalle County Highway 43, which premises are approximately 2 miles north of Interstate 80, and which premises are not presently annexed to the City of La Salle nor are they contiguous to the City of La Salle, but a boundary of said premises is within 1 1/2 miles of the municipal corporate boundaries of the City of La Salle.

**Voice vote, all ayes, Motion carried.**

Attorney McPhedran explained that the petitioner requested a recess in front of the Planning Commission in order to investigate some details and reconvene at the Planning Commission Public Hearing on July 1, 2013 at 5:30 p.m.

Moved by Alderman Lavieri and seconded Herndon by that the public hearing regarding the Burke property at 3241 E. 8<sup>th</sup> Road Utica, Illinois annexation be recessed and reconvened on July 2, 2013 at 7 p.m. in the City Council chambers at 745 Second Street, La Salle, Illinois.

**Voice vote, all ayes, Motion carried.**

### **PUBLIC HEARING-CARUS CORPORATION**

Moved by Alderman Demes and seconded by Alderman Reynolds to open the Public Hearing regarding potential vacation of a portion of City of La Salle alley, commonly described as a portion of the alley between 8<sup>th</sup> Street and 9<sup>th</sup> Street within the City of La Salle, between La Harpe Street and Sterling Street within the City of La Salle. **Voice vote, all ayes. Motion carried.**

Attorney McPhedran confirmed with a representatives from Carus Corporation (Mr. Ralph Moshage and Vice President Edmund Stec) that the following items are agreed upo by Carus Corporation and understood.

1. The vacation of this alley is part of an overall plan for an employee parking lot which includes a detention pond.
2. If the council approves the vacation of the alley and rezoning, there would be no R-4 use on any of the property in question.
3. The fence would not be higher than 6 ft and will be either made of chain link or such other composition as the City Engineer or Building Inspector would approve.
4. Regarding drainage, the Carus Corporation has the intent to that it has been planned and constructed in a responsible manner and Carus Corporation would accept responsibility and be accountable for any issues or damage caused by Carus' work or manner of drainage.
5. The vacated portion of the alley and the portion that was rezoned was specific to this request for an employee parking lot (fence, gate, retention pond.) if it were to be used for something else Carus would need to return to the Planning Commission for a further consideration and permission.
6. No permanent structures will be built on the easement area or anything besides the lighting on any part of the premises that are up for vacation and rezoning without coming before the Planning Commission.
7. The vacation of the area is also subject to the reservation by the City in reference to all utility easements underlying or in any matter related to the premises and the City would have the right to use, construct, repair and maintain all of those.
8. In regards to restorations, the City would repair water and sewer lines, but only restore to an aggregate type surface, Carus would be responsible for pavement type restoration.
9. If there are other utilities in the area, Carus Corporation would respect them as well.

No additional public comments were made.

Moved by Alderman Duncan and seconded by Alderman Schneider to close the public hearing. Voice vote, all ayes. Motion carried.

### **APPROVAL OF MINUTES**

Moved by Alderman Demes and seconded by Alderman Reynolds that the minutes of the regular City Council meeting held on Tuesday, June 4, 2013 are accepted and placed on file; each and every Alderman has a copy.

Voice vote all ayes, motion carried.

### **PETITIONS**

Motion by Alderman Schneider and seconded by Alderman Herndon to grant the request for a 2013 raffle license to Rudy's Liquor for Beers of Summer Area Fire Department Benefit.

Voice vote, all ayes, motion carried.

Motion by Alderman Lavieri and seconded by Alderman Reynolds to grant the request of AT&T and La Salle State Bank to break ground at the intersection of Canal and Marquette streets to access existing conduit for the placement of new fiber optic cable needed for Ethernet data-line upgrades.

Voice vote, all ayes, motion carried.

Moved by Alderman Lavieri and seconded by Alderman Schneider to grant permission to Cameron Graper of the Ax Church to hold a free family movie night in Hegeler Park on Friday, August 30, 2013 with a rain date of August 31, 2013 under the supervision of Parks and Recreation Director Don Baldin.

Voice vote, all ayes, motion carried.

Moved by Alderman Bacidore and seconded by Alderman Demes to grant the request of Dianna Downing of Stan's Ice Cream to sell pre-packaged ice cream from a vehicle.

Voice vote, all ayes, motion carried.

Moved by Alderman Bacidore and seconded by Alderman Schneider to grant the request to St. Hyacinth's Bazaar committee to close off 11<sup>th</sup> Street from Hennepin to Tonti from 5:00 p.m. until midnight on August 24, 2013 for their annual bazaar.

Voice vote, all ayes, motion carried.

Moved by Alderman Demes and seconded by Alderman Reynolds to grant the request from A Servant's Heart Outreach Ministry to close off 8<sup>th</sup> Street between La Harpe and Crosat from 9 a.m. to 3 p.m. on Sunday, August 4, 2013 for a Back to School block party from 10 a.m. to 2 p.m.

Voice vote, all ayes, motion carried.

## REPORTS OF CITY OFFICERS

Moved by Alderman Bacidore and seconded by Alderman Demes to accept and place on file the Building Inspectors report for May 2013 showing total value of construction of \$462,062 and total fees collected of \$858.00. Each and every alderman has a copy.

Voice vote, all ayes, motion carried.

Moved by Alderman Schneider and seconded by Alderman Herndon to accept and place on file the Police Income Report for May 2013 showing fees collected of \$11,259.53. Each and every alderman has a copy.

Voice vote, all ayes, motion carried.

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept and place on file the Treasurer's Report for May 2013 showing cash balances in the LaSalle State Bank of \$917,983.05 and Hometown National Bank of \$2,182,924.48. Each and every alderman has a copy.

Voice vote, all ayes, motion carried.

## COMMUNICATIONS

Moved by Alderman Ptak and seconded by Lavieri to accept and place on file the Illinois Department of Transportation report showing motor fuel tax allotment for May 2013 of \$24,43.79. Each and every alderman has a copy.

Voice vote, all ayes, motion carried.

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept and place on file the Illinois Department of Revenue Reports showing sales tax collected for March 2013 of \$66,058.18 and referendum approved sales tax of \$27,289.16 for a total of \$93,347.34 Each and every alderman has a copy.

Voice vote, all ayes, motion carried.

## OLD BUSINESS

Moved by Alderman Ptak and seconded by Alderman Lavieri to authorize and place on file Pay estimate #3 for the Malcolm Avenue Widening project totaling \$74,920.05. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAY: None. Absent: None **Motion carried. 8- 0**

Alderman Ptak reported that the search firm spearheading the effort to secure candidates for the position of Superintendent of Public Works is staying on the established timeline, with hopes to fill the position by the end of August.

Moved by Alderman Demes and seconded by Alderman Reynolds to grant the request for modification/waiver on the IKE Disaster Recovery funding to modify a duplex pumping station to a triplex pumping station. Each and every Alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAY: None. Absent: None **Motion carried. 8- 0**

Moved by Alderman Ptak and seconded by Alderman Reynolds to grant permission and authorization to the Hegeler Carus Mansion the placement of six temporary handicapped signs at Seventh and Sterling for their Friday night concert series through August.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAY: None. Absent: None **Motion carried. 8- 0**

Alderman Demes emphasized to the council that we may need to toughen up in regards to residents leaving grass clippings in the streets.

Mayor Grove asked council to meet on Tuesday, June 25 at 6 p.m. for a Special Informal Meeting to discuss potential candidates for the positions of Building Inspector and Finance Director. Notice would be given to the media.

## **NEW BUSINESS**

Alderman Reynolds was approached by a citizen with concerns about the safety of pedestrian crossing Rt. 351/ St. Vincent' Avenue in order to attend the Farmer's Market. The citizen inquired about getting signage that says "Brake for Pedestrians." Because it is a State Highway, the City cannot supply signage. Mayor Grove suggested that citizens park by the pool and simply use caution to navigate crossing.

Alderman Lavieri brought forward a suggestion of developing some type of Curb Replacement program where residents would pay for their own curb replacement, but the City could aggregate so many thousand feet of curb in a given season in order to put it out for bid and receive a better rate. Normally, curb runs \$25-\$30 a foot. Mayor Grove asked Attorney McPhedran if the City could go out for bids in this manner. Attorney McPhedran felt it could be investigated further and referred to the Streets, Alleys and Traffic Committee. Sam McNeilly brought forth the point that if this were done, it should be done in an organized fashion where curbs are not torn up in areas where streets have just been done.

Alderman Schneider has been approached with concerns about the number of dogs in Hegeler Park. Currently a park rule exists where dogs are not allowed in

City parks. Attorney McPhedran will prepare a draft of an ordinance banning dogs in City parks for consideration by Council Members at the next meeting.

## **ORDINANCES/RESOLUTIONS**

Moved by Alderman Herndon and seconded by Alderman Schneider to accept and place on file **Ordinance No. 2438** authorizing the Prevailing Wage for 2013. Each and every Alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent. **Motion carried. 8- 0**

### **Ordinance No. 2438: Prevailing Wage Ordinance 2013**

Moved by Alderman Lavieri and seconded by Alderman Duncan to accept the recommendation of the Zoning Board of Appeals to deny the request for a zoning variance from Frank Foust and Adel Khojja for the premises commonly known as 928 1<sup>st</sup> Street, La Salle, Illinois. Each and every alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent. **Motion carried. 8- 0**

Moved by Alderman Duncan and seconded by Alderman Schneider to accept and place on file **Ordinance No. 2439** approving and authorizing the execution of an annexation agreement between the City of La Salle and James Hughett and Rebecca Hughett for property commonly known as 2975 E. 350<sup>th</sup> Road, La Salle, Illinois. Each and every Alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried. 8- 0**

### **Ordinance No. 2439: Approving and authorizing the execution of an annexation agreement between the City of La Salle and James and Rebecca Hughett for property commonly know as 2975 E. 350<sup>th</sup> Road, La Salle, Illinois.**

Moved by Alderman Duncan and seconded by Alderman Lavieri to accept and place on file **Ordinance No: 2440** approving annexing certain territory to the City of LaSalle. Each and every Alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried. 8- 0**

**Ordinance No. 2440: An ordinance authorizing annexing certain territory to the City of La Salle.**

Moved by Alderman Lavieri and seconded by Alderman Schneider to accept the recommendations of the Planning Commission concerning zoning changes to the Hughett property to R-2. Each and every Alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried. 8- 0**

Moved by Alderman Schneider and seconded by Alderman Lavieri to accept and place on file **Ordinance No. 2441** authorizing zoning changes to Hughett Property to R-2. Each and every Alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried. 8- 0**

**Ordinance No. 2441: An ordinance authorizing zoning changes within the City of La Salle, La Salle County, Illinois as to "Hughett" premises.**

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept and place on file **Ordinance No. 2442** vacating a part of the public alley between 8<sup>th</sup> Street and 9<sup>th</sup> Street between La Harpe and Sterling Streets within the City of La Salle. Each and every Alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried. 8- 0**

**Ordinance No. 2442: An ordinance vacating a part of the public alley between 8<sup>th</sup> and 9<sup>th</sup> Street between La Harpe and Sterling Streets within the City of La Salle and related matters.**

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept the recommendations of the Planning Commission in regards to the petitions of Carus Corporation. Each and every Alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried. 8- 0**

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept and place on file **Ordinance No. 2443** authorizing zoning changes within the City of La Salle, La Salle County, Illinois, as to a portion of Carus Corporation premises including portion of alley per vacation ordinance and related matters including but not limited to consideration of Planning Commission report regarding June 17, 2013 proceedings regarding zoning changes involving this Ordinance. Each and every Alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried. 8- 0**

**Ordinance No. 2443: An ordinance authorizing zoning changes within the City of La Salle, La Salle County, Illinois as to a portion of Carus Corporation premises including City's interest in portion of vacated alley per ordinance number 2442.**

Moved by Alderman Schneider and seconded by Alderman Herndon to accept and place on file **Ordinance No. 2444** approving waiver and/or variance from fence ordinance with the City of La Salle and related matters. Each and every Alderman has a copy.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried. 8- 0**

**Ordinance No. 2444: an ordinance providing partial waiver of fence ordinance.**

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept the recommendation of the Planning Commission to consolidate properties on Block 27.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried. 8- 0**

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept and place on file **Ordinance No: 2445** approving consolidation plat of a portion of

Block 27 within the Original Town, now city of La Salle, and the vicinity thereof, and related matters including, but not limited to, consideration of Planning Commission report of proceedings taking place June 17, 2013 regarding consolidation plat that is subject to this Ordinance.

**ROLL CALL:** AYES: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAYS: None. Absent: None. **Motion carried 8-0**

**Ordinance No. 2445: an ordinance approving consolidation plat of a portion of Block 27 within the original town, now City of La Salle and in vicinity thereof.**

## **COMMENTS**

Mayor Grove thanked Public Works, the Police Department and the Fire Department for all their help with Celebrate La Salle. Mayor Grove also thanked the Better Fishing Association for the canal fishing tournament.

Superintendent of Public Works Sam McNeilly reminded everyone that the work going on at First and Bucklin Streets is part of the I-Fiber work and at First and Joliet Streets AT&T is trying re-establish some antennas.

Don Aleksy reminded everyone that the Lakota Group will be at the City on June 25 and 26 meeting with various stakeholder groups.

## **APPROVAL OF BILLS**

Moved by Alderman Ptak and seconded by Alderman Lavieri that bills totaling \$392,340.98 payroll \$168,179.59, Bills to be paid \$95,867.03, Bills paid \$128,294.36) be accepted, paid and placed on file. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider. NAY: None. Absent. **Motion carried. 8- 0**

## **ADJOURNMENT**

Moved by Alderman Reynolds and seconded by Alderman Schneider to adjourn the meeting with the exception of the Public Hearing on the Burke petition which will reconvene on Tuesday, July 2, 2013. Voice vote all ayes: motion is carried.

**ADJOURNED 8:07 p.m.**

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Carrie Brown, City Clerk